

MINUTES -- APRIL 15, 1997

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 15th day of April 1997, the Commissioners' Court convened the Voting Session at 9:11 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Anna M. Valdez.

The Commissioners' Court recessed the Voting Session at 11:40 AM pending conclusion of Corporation meeting and reconvened the Voting Session at 11:43 AM.

The Commissioners' Court recessed the Voting Session at 12:04 PM and reconvened the Voting Session at 1:38 PM.

The Commissioners' Court retired to Executive Session at 1:54 PM and reconvened the Voting Session at 3:55 PM.

The Commissioners' Court adjourned the Voting Session at 3:59 PM.

RESOLUTIONS & HEARINGS

1. APPROVE A PROCLAMATION ANNOUNCING APRIL 12 - 19, 1997 AS " THE WEEK OF THE YOUNG CHILD" IN TRAVIS COUNTY. (9:17 AM)

Members of the Court heard from: Stephen Williams, Executive Manager of Health and Human Services and Veteran Affairs; Beth Morgan, President of Austin Association for the Education of Young Children, and children from the Austin Community Nursery School.

Motion by Judge Aleshire and **seconded by** Commissioner Biscoe to approve the Resolution.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

2. APPROVE PROCLAMATION HONORING SUPPORTERS AND CONTRIBUTORS TO THE WEST RURAL CENTER AND PROCLAIM APRIL 16, 1997 AS "WILL HAMPTON DAY", IN TRAVIS COUNTY. (9:23 AM)

Members of the Court from: Tom Davis, friend of Will Hampton; and Elena Diaz, Justice of the Peace, Precinct Four.

Motion by Commissioner Bristol and **seconded by** Commissioner Sonleitner to approve the Resolution.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

- 3. APPROVE SPECIAL PROCEDURES TO EVALUATE INTERSECTIONS FOR ALL-WAY STOP CONTROL. (9:30 AM) (9:42 AM) (10:03 AM)

Clerk’s Note: Items 3, 6A and 6B are associated with one another and were simultaneously called for concurrent discussion.

Members of the Court heard from: Steve Manilla, Division Director of Engineering and Planning, Transportation and Natural Resources (TNR); Greg Alvarez, TNR; and Gordon Bowman, Assistant County Attorney.

Discussion Only.

No action taken on Item 3.

- 4. APPROVE THE PROPOSED STREET NAME CHANGE OF THE SOUTH SECTION OF COMANCHE TRAIL TO STEINER RANCH BOULEVARD IN PRECINCT TWO. (10:19 AM)

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe that the Public Hearing be opened.

Members of the Court from: Steve Manilla, Division Director of Engineering and Planning, (TNR).

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe that the Public Hearing be closed.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

Clerk’s Note: Item 4 is Consent Item #C18. Please refer to Agenda Item #5 (CONSENT ITEMS) for the Court’s Motion and Vote.

CITIZENS' COMMUNICATION

Judge Aleshire gave recognition to Commissioner Bristol, Precinct Three, for receiving Special Recognition from The Nature Conservancy, The Greater Austin Chamber of Commerce and the Austin American Statesman, recognized as an Individual for her Leadership in Conservation on Natural Resources in Travis County. Commission Sonleitner also made a few comments on behalf of Commissioner Bristol's award.

Members of the Court heard from: Elvia Ortiz-Castro, Capital Area Workforce Board; Angel Acosta, Victor Mendoza and Cynthia Soliz, all graduates of the first class of the Jobs Ahead Program; and Dee Day, owner of Eagle Peak Shooting Range in Leander, Texas.

CONSENT ITEMS

5. Motion by Judge Aleshire and **seconded by** Commissioner Gómez to approve the following Consent Items: C.1 - C.19, 9, 10, 12, 17, 33, 36, 40 and 41. (10:59 AM)

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes
 Precinct 2, Commissioner Karen Sonleitner - yes
 Precinct 3, Commissioner Valarie Scott Bristol - yes
 Precinct 4, Commissioner Margaret J. Gómez - yes
 County Judge Bill Aleshire - yes

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C3.** APPROVE BUDGET AMENDMENTS AND TRANSFERS.
- C4.** APPOINT MAJOR POLLY "PJ" JOHNSON TO CAPCO'S LAW ENFORCEMENT EDUCATION COMMITTEE.
- C5.** APPROVE CONTRACT FOR LEGAL SERVICES TO EWBANK & BYROM, P.C. CAUSE NO. 379836, BARSTOW V. LCRA, IN THE NOT-TO-EXCEED AMOUNT OF \$10,000.

CONSENT ITEMS CONTINUED

- C6.** APPROVE CONTRACT AWARDS FOR PSYCHOLOGICAL/PSYCHIATRIC SERVICES FOR JUVENILE COURT CHILDREN TO DRS. KEVIN MCFARLEY AND WILLIAM DUBIN.
- C7.** APPROVE CONTRACT AWARD FOR THE PROVISION OF PARK CONCESSION OPERATIONS, RFP #970063-RG, TO MAKIN' WAVES; A REVENUE PRODUCING CONTRACT.
- C8.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 96T0285-RG, WET & WILD WATERCRAFT RENTALS, PARK CONCESSION OPERATIONS; CONTRACT APPROVED ON MAY 14, 1996; MODIFICATION ALLOWS FOR EXTENSION OF CONTRACT FOR AN ADDITIONAL YEAR.
- C9.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 96T0284-GR, WATERTIGHT ENDEAVORS, INC., PARK CONCESSION OPERATIONS; CONTRACT APPROVED ON MAY 14, 1996; MODIFICATION ALLOWS FOR EXTENSION OF CONTRACT FOR AN ADDITIONAL YEAR.
- C10.** APPROVE CONTRACT AWARD FOR COURT REPORTER SERVICES TO BAKER COURT REPORTING, INC., NOT-TO-EXCEED \$30,000.
- C11.** APPROVE CONTRACT AWARD FOR THE PROVISION OF MEDICAL GASES (IFB #B970051-RG TO MEDIPRAX OXYGEN IN THE ESTIMATED AMOUNT OF \$7,621.25.
- C12.** APPROVE ASSIGNMENT OF CONTRACT FROM EASTMAN KODAK COMPANY TO DANKA OFFICE IMAGING COMPANY, CONTRACT NUMBERS MA950061 AND MA940038 FOR EASTMAN KODAK COPIER MAINTENANCE.
- C13.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97T0096-OJ, TEXAS DISPOSAL SYSTEMS, REFUSE COLLECTION; CONTRACT APPROVED ON 12/31/96; MODIFICATION ALLOWS NECESSARY ADJUSTMENTS IN CONTAINERS AT FOUR (4) TNR PARKS.
- C14.** APPROVE CONTRACT AWARD FOR THE PROVISION AND INSTALLATION OF STAND-BY GENERATORS, IFB# B970074-JP, TO THE LOW QUALIFIED BIDDER, B.J. ELECTRIC COMPANY, IN THE ESTIMATED AMOUNT OF \$100,140.00.

CONSENT ITEMS CONTINUED

- C15.** APPROVE CONTRACT AWARD FOR THE PROVISION OF TRAFFIC PAINT, IFB# 970073-RG TO CENTERLINE INDUSTRIES, INC., IN THE ESTIMATED AMOUNT OF \$129,984.25.
- C16.** APPROVE A PUBLIC HEARING DATE OF APRIL 29, 1997, TO APPROVE A TEMPORARY ROAD CLOSURE OF GRISHAM TRAIL AND PACE BEND ROAD FOR THE PURPOSE OF PROVIDING SAFETY FOR A TRIATHLON IN PACE BEND PARK IN PRECINCT THREE.
- C17.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: PICADILLY RIDGE PHASE ONE SECTION THREE - (LONGFORM - FISCAL POSTED WITH CITY OF AUSTIN - 55 LOTS - 9.84 ACRES -PFLUGERVILLE LOOP EAST AND GRAND AVENUE PARKWAY).
- C18.** APPROVE THE PROPOSED STREET NAME CHANGE OF THE SOUTH SECTION OF COMANCHE TRAIL TO STEINER RANCH BOULEVARD IN PRECINCT TWO.
- C19. ADDED ITEM -** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: BARTON CREEK SECTION J, PHASE 1 - (SHORTFORM - NO FISCAL REQUIRED - 11 LOTS - 27.277 ACRES - LOST CREEK BOULEVARD.

ADMINISTRATIVE ITEMS

6. A. APPROVE SPECIAL PROCEDURES TO EVALUATE INTERSECTIONS FOR ALL-WAY STOP CONTROL. (9:30 AM) (9:42 AM) (10:03 AM)

Clerk’s Note: Items 3, 6A and 6B are associated with one another and were simultaneously called for concurrent discussion.

Members of the Court heard from: John Kunkel, Representative of Balcones Village Homeowner’s Association; Jack Shockey, retired traffic engineer and neighborhood resident; and Dee Ann Knox, Membership Chairman of Spicewood Estates.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to direct the staff to plan to implement the use of special procedures, which have been outlined by TNR, to go through with this pilot project in the Balcones Village/Spicewood area for the usage of all-way stop control to reduce cut through traffic and that the appropriate postings of individual stop signs be brought back. Furthermore, it should be noted that this is to be done once school is out so it should lessen the impact which will be felt by folks when the procedures are changed.

Motion carried:	Precinct 1, Commissioner Samuel T. Biscoe	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Valarie Scott Bristol	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes
	County Judge Bill Aleshire	-	yes

Item 6A to be reposted.

B. APPROVE PILOT PROJECT IN THE BALCONES VILLAGE/SPICEWOOD AREA FOR THE USAGE OF ALL-WAY STOP CONTROL TO REDUCE THROUGH TRAFFIC. (9:30 AM) (9:42 AM) (10:03 AM)

Clerk’s Note: Items 3, 6A and 6B are associated with one another and were simultaneously called for concurrent discussion.

Members of the Court heard from: John Kunkel, Representative of Balcones Village Homeowner’s Association; Jack Shockey, retired traffic engineer and neighborhood resident; and Dee Ann Knox, Membership Chairman of Spicewood Estates.

Clerk’s Note: Please refer to Item 6A for the Court’s action related to this item.

Item 6B to be reposted.

- 7. APPROVE REALIGNMENT OF CERTAIN TRAVIS COUNTY ELECTION PRECINCT BOUNDARY LINES; AND APPROVE MINOR ADJUSTMENTS TO THE BOUNDARY LINES BETWEEN JUSTICE OF THE PEACE/ CONSTABLE PRECINCTS 3 AND 4, AND 2 & 5, RESPECTIVELY, AND COMMISSIONER PRECINCTS 3 AND 4. (11:01 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; and Dolores Diaz-Lopez, Director, Voter Registration.

- 7. **Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve Item

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

- 8. RECEIVE LEGISLATIVE UPDATE AND TAKE APPROPRIATE ACTION, IF NECESSARY. (10:44 AM)

Members of the Court heard from: Heather Cox, Legislative Aid to Commissioner Bristol, Precinct Three.

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to endorse Representative Keel's House Bill 2230.

Motion failed:

Precinct 1, Commissioner Samuel T. Biscoe	-	abstain
Precinct 2, Commissioner Karen Sonleitner	-	no
Precinct 3, Commissioner Valarie Scott Bristol	-	no
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

- 9. CLARIFY THE INTENTION OF THE COMMISSIONERS' COURT IN ADOPTION OF THE FY 1997 BUDGET TO GRANT "AN ADDITIONAL" 2% INCREASE FOR THE PEACE OFFICER PAYSACLE EFFECTIVE APRIL 1, 1997. (10:59 AM)

Item 9 added to Consent Items. Please refer to Agenda Item #5 (CONSENT ITEMS) for the Court's Motion and Vote.

10. DISCUSSION ON PAY AND COMPENSATION COUNSELING SERVICES FROM SOUTHWEST TEXAS STATE UNIVERSITY. (10:59 AM) (11:17 AM)

Item 10 added to Consent Items. Please refer to Agenda Item #5 (CONSENT ITEMS) for the Court’s Motion and Vote.

Clerk’s Note: Item 10 was called up for discussion between staff and the Court.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Marilyn Hancock, Interim Director, Human Resources Management Department (HRMD); and Carlotta Valdez, Benefits and Compensation Manager.

Discussion Only.

11. CONSIDER REQUEST FROM UNIVERSITY STUDENT TO WAIVE FEES AND CONTRACT PROVISIONS AND APPROVE LICENSE AGREEMENT WITH JAMARL TYLER FOR USE OF THE COURTHOUSE. (11:29 AM)

Members of the Court heard from: John Hille, Assistant County Attorney; Kevin Bailey, Director of Facilities Management; and Jamarl Tyler, Graduate student, University of Texas.

Motion by Commissioner Biscoe and **seconded by** Commissioner Sonleitner to indicate the Court’s intention to approve an appropriate contract which contains the terms and conditions discussed.

A Clarification was made of the previous Motion by Judge Aleshire that Item 11 will be reposted on 04-22-97 for formal approval if the current motion passes.

Motion carried:	Precinct 1, Commissioner Samuel T. Biscoe	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Valarie Scott Bristol	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes
	County Judge Bill Aleshire	-	yes

12. CONSIDER REQUEST FROM BASTROP COUNTY FOR RENTAL USE OF EXPO CENTER RODEO CHUTES. (10:59 AM)

Item 12 added to Consent Items. Please refer to Agenda Item #5 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 13. APPOINT ADVISORY COMMITTEE ON SUBDIVISION STANDARDS AND ADOPT COMMITTEE CHARTER. (10:59 AM)**

Item 13 postponed until April 22, 1997.

- 14. RECEIVE REPORT ON STATUS OF CIP RESERVE FROM VOTER APPROVED 1984 BOND REFERENDUM. (9:13 AM)**

Item 14 pulled from the agenda.

- 15. DISCUSS AND APPROVE INFORMATION TELECOMMUNICATIONS SYSTEMS DEPARTMENT (ITS) RECOMMENDATIONS PERTAINING TO YEAR 2000 ISSUES. (11:43 AM)**

No action taken on Item 15.

- 16. APPROVE AGREEMENT WITH GALESI GROUP FOR RIGHT-OF-WAY AND PHASING OF PARMER LANE FM 734 AND HARRIS BRANCH PARKWAY. (11:45 AM)**

Item 16 postponed until April 22, 1997.

- 17. APPROVE INTERLOCAL AGREEMENT WITH THE CITY OF PFLUGERVILLE FOR THE DEVELOPMENT OF THE DESSAU NORTH ROAD PROJECT. (10:59 AM)**

Item 17 added to Consent Items. Please refer to Agenda Item #5 (CONSENT ITEMS) for the Court's Motion and Vote.

18. APPROVE CONSTRUCTION SECURITY REDUCTION TO TEN PERCENT OF VALUE OF CONSTRUCTION AND SUBSTITUTION OF BOND FOR CASH SECURITY AGREEMENT PROVIDING PERFORMANCE PERIOD SECURITY FOR SPRINGBROOK CENTRE, PHASE B, SECTION 2, PRECINCT TWO. (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

- Motion by** Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item 18.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

19. APPROVE A CASH SECURITY AGREEMENT WITH CHANCELLOR RESOURCES, LTD., FOR SIDEWALK FISCAL ON CIRCLE C RANCH, PHASE A, SECTION 6 IN THE AMOUNT OF \$28,294.00, IN PRECINCT THREE. (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

- Motion by** Commissioner Bristol and **seconded by** Commissioner Gómez to approve Item 19.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

20. APPROVE PHASING AGREEMENT WITH VOLENTE GROUP OF TEXAS, LTD., AND LAKE TRAVIS INTERNATIONAL, LTD. FOR PHASING OF VILLAGE AT VOLENTE SUBDIVISION. (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item 20.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

21. APPROVE CASH SECURITY AGREEMENT FOR BOUNDARY STREET IMPROVEMENTS TO LIME CREEK ROAD FOR THE RESUBDIVISION OF LOTS 1, 3, 4, AND 20, LAKE TRAVIS SUBDIVISION NO. 7 PLATS. (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item 21.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

22. APPROVE CASH SECURITY AGREEMENT FOR BOUNDARY STREET IMPROVEMENTS TO LIME CREEK ROAD AND INTERNAL IMPROVEMENTS FOR THE VILLAGE AT VOLENTE PHASE ONE. (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item 22.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes

Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

23. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: THE RESUBDIVISION OF LOT 1, LAKE TRAVIS SUBDIVISION NO. 7 - (SHORTFORM - BOUNDARY STREET FISCAL POSTED WITH TRAVIS COUNTY - 2 LOTS - 2.567 ACRES - LIME CREEK ROAD. (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

- Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item 23.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

24. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: THE RESUBDIVISION OF LOTS 3 & 4, LAKE TRAVIS SUBDIVISION NO. 7 - (SHORTFORM - BOUNDARY STREET FISCAL POSTED WITH TRAVIS COUNTY - 3 LOTS - 4.138 ACRES - LIME CREEK ROAD). (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

- Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item 24.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

25. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: THE VILLAGE AT VOLENTE PHASE ONE - (LONGFORM - FISCAL POSTED WITH TRAVIS COUNTY - 8 LOTS - 9.15 ACRES - LIME CREEK ROAD). (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item 25.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

26. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: THE RESUBDIVISION OF LOT 20, LAKE TRAVIS SUBDIVISION NO. 7 - (SHORTFORM - BOUNDARY STREET FISCAL POSTED WITH TRAVIS COUNTY - 2 LOTS - 2.198 ACRES - LIME CREEK ROAD). (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item 26.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

27. APPROVE PHASING AGREEMENT WITH CHANCELLOR RESOURCES, LTD., AND PHOENIX HOLDINGS, G.P., ESTABLISHING RESPONSIBILITIES RELATED TO THE CONSTRUCTION OF DAVIS LANE AND BARSTOW AVENUE AND DEVELOPMENT OF THE BALANCE OF THE TRACT. (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Bristol and **seconded by** Commissioner Gómez to approve Item 27.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

28. APPROVE VARIANCE TO REDUCE PERFORMANCE PERIOD FOR CIRCLE C RANCH PHASE B, SECTION 19 DUE TO CURRENT PERFORMANCE AND APPROVAL OF CASH SECURITY AGREEMENT FOR \$92,106.67 TO FACILITATE CONVERSION FROM ALTERNATE TO CONVENTIONAL FISCAL, PRECINCT THREE. (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Bristol and **seconded by** Commissioner Gómez to approve Item 28.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

29. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: CIRCLE C PHASE B SECTION 19 - (LONGFORM - FISCAL POSTED WITH THE COUNTY - 2 LOTS - 37.6254 ACRES - DAHLGREEN LANE - SOUTHWEST TRAVIS COUNTY SPECIAL WATER DISTRICT. (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Bristol and **seconded by** Commissioner Gómez to approve Item 29.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

30. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: CIRCLE C PHASE C SECTION 5B - (LONGFORM - FISCAL POSTED WITH THE COUNTY - 61 LOTS - 21.0104 ACRES - AUSTRAL LOOP - SOUTHWEST TRAVIS COUNTY SPECIAL WATER DISTRICT). (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Bristol and **seconded by** Commissioner Gómez to approve Item 30.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

31. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: CIRCLE C PHASE A SECTION 6 - (LONGFORM - FISCAL POSTED WITH THE COUNTY - 88 LOTS - 21.7615 ACRES - AUSTRAL LOOP - SOUTHWEST TRAVIS COUNTY SPECIAL WATER DISTRICT). (11:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Bristol and **seconded by** Commissioner Gómez to approve Item 31.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

32. APPROVE AWARD OF CONTRACT TO TEAM TECH INTERNATIONAL, INC. TO PROVIDE PROGRAMMING/CONSULTING SERVICES FOR THE JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES (JOSATS) NETWORK. (11:45 AM)

Item 32 postponed until April 22, 1997.

33. APPROVE STATE CATALOGUE PURCHASE OF HARDWARE MAINTENANCE FOR THE IBM AS/400 COMPUTER SYSTEM. . (10:59 AM)

Item 33 added to Consent Items. Please refer to Agenda Item #5 (CONSENT ITEMS) for the Court's Motion and Vote.

34. APPROVE STATE CATALOG PURCHASE OF COMPUTERS FOR COUNTY AUDITOR FROM AUSTIN MICRO SOLUTIONS IN THE AMOUNT OF \$33,508.00. (1:39 PM)

Members of the Court heard from: Cyd Grimes, Purchasing Agent.

Discussion Only.

Item 34 postponed until April 22, 1997.

- 35. A. CONSIDER AND APPROVE ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL LEGAL SERVICES FROM VINSON & ELKINS, LLP IN DISTRICT COURT CAUSE NO. 9511810, WIESE V. TRAVIS COUNTY SHERIFF'S DEPT., ET AL; AND IN THREE (3) PERSONNEL CLAIMS BY KEVIN MOORE, BENNIE CURETON, AND DAVID DOWNS FROM THE REQUIREMENTS OF COMPETITIVE PROPOSAL PURSUANT TO THE COUNTY PURCHASING ACT, LOC. GOVT. CODE ANN., SECTION 262.024 (a) (4). (12:03 PM)
- B. APPROVE CONTRACT AWARD TO VINSON & ELKINS, LLP FOR PROVISION OF LEGAL SERVICES IN DISTRICT COURT CAUSE NO. 9511810, WIESE V. TRAVIS COUNTY SHERIFF'S DEPT., ET AL; AND IN THREE (3) PERSONNEL CLAIMS BY KEVIN MOORE, BENNIE CURETON, AND DAVID DOWNS. (12:03 PM)

Motion by Judge Bill Aleshire and **seconded by** Commissioner Gómez to approve Item 35.A and Item 35. B.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

- 36. APPROVE CONTRACT AWARD TO FAMILY ELDERCARE, INC., FOR THE PROVISION OF GUARDIANSHIP SERVICES FOR INDIGENT COUNTY RESIDENTS WHO ARE ELDERLY AND/OR DISABLED. (10:59 AM)

Item 36 added to Consent Items. Please refer to Agenda Item #5 (CONSENT ITEMS) for the Court's Motion and Vote.

37. APPROVE AWARD, CONTRACT MODIFICATION, AND MAKING OF CONTRACT TO AUSTIN BRIDGE AND ROAD, INC., FOR PROVISION OF THE 1997 HOT MIX OVERLAY PROGRAM, IFB NO. B970052-JJ, IN THE ESTIMATED AMOUNT OF \$1,438,929.78. (1:40 PM)

Members of the Court heard from: Cyd Grimes, Purchasing Agent; and Joe Gieselman, Executive Manager, (TNR).

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve the Purchasing Agent’s recommendations.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	absent
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

38. APPROVE: (1) QUANTUM MERUIT CLAIM FOR \$1,610.00 FOR HISTORICAL RESEARCH SERVICES FOR THE CRIMINAL JUSTICE CENTER (CJC) SITE; (2) ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL ARCHAEOLOGICAL SERVICES FOR THE CJC SITE FROM THE COMPETITIVE PROPOSAL REQUIREMENTS OF THE COUNTY PURCHASING ACT, AND (3) CONTRACT AWARD FOR ARCHAEOLOGICAL SERVICES FOR THE CJC SITE, TO ANTIQUITIES PLANNING & CONSULTING NOT-TO-EXCEED \$13,300. (1:45 PM)

Members of the Court heard from: Cyd Grimes, Purchasing Agent; Kevin Bailey, Director of Facilities Management.

Motion by Commissioner Bristol and **seconded by** Commissioner Sonleitner to accept: (1) the recommendation of the Purchasing Department for the Quantum Meruit claim of \$1,610.00; (2) the order exempting the purchase of professional archaeological services and (3) the contract award for archaeological services for the CJC site to Antiquities Planning & Consulting not to exceed \$13,300.00.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes

Precinct 4, Commissioner Margaret J. Gómez - yes
County Judge Bill Aleshire - yes

- 39.** APPROVE CAPCO CONTRACT FOR GEOGRAPHIC INFORMATION SYSTEM, ADDRESSING MAINTENANCE AND COORDINATION. (11:02 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Dinah Dinwiddie, Executive Manager, Criminal Justice and Public Safety; Male Speaker (name unknown); and Female Speaker (name unknown).

Discussion Only.

Item 39 postponed until April 22, 1997.

- 40.** APPROVE PERSONNEL AMENDMENTS. (10:59 AM)

Item 40 added to Consent Items. Please refer to Agenda Item #5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 41.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:59 AM)

Item 41 added to Consent Items. Please refer to Agenda Item #5 (CONSENT ITEMS) for the Court's Motion and Vote.

EXECUTIVE SESSION ITEMS

Note 1 -Gov't Code Ann 551.071, Consultation with Attorney

Note 2 -Gov't Code Ann 551.072, Real Property

Note 3 - Gov't Code Ann 551.074, Personnel Matters

- 42.** DISCUSSION OF SETTLEMENT OFFER FROM THE PLAINTIFF'S ATTORNEY AND GENERAL MERITS OF THE CASE AND TAKE APPROPRIATE ACTION IN CAUSE NO. A-96-CA-674-SS (CURETON V. TERRY KEEL, TRAVIS COUNTY SHERIFF AND TRAVIS COUNTY, TEXAS). ¹ (1:54 PM) (3:55 PM)

Judge Aleshire announced that Item 42 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47 and 56.

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to approve the following Items as summarized below:

- 42.** Counter the offer in the case of Cureton V. Keel, Travis County, in the amount of \$35,000.00 and repost Item 42 for April 22, 1997.
- 43.** Item 43 postponed until April 22, 1997.
- 44.** Request the County Attorney's Office to draft a letter, with the Commissioners' Court input, to the Texas Natural Resource Conservation Commission requesting that representatives from Travis County be heard in the Garwood /Corpus Christi Interbasin Transfer permit application.
- 45.** Item 45 postponed until April 22, 1997.
- 46.** Item 46 postponed until April 22, 1997.
- 47.** No action taken on Item 47.
- 56.** Indicate that the Travis County Commissioners' Court has no objection to the Sheriff being the custodian of the record, disclosing the record, and the Commissioners' Court requests the County Attorney's Office to contact the attorney in the case to determine the amount of time and expenses which he has involved in the Mandamus action.

Clerk's Note: Commissioner Sonleitner requested that the record reflect that she abstained from the portion of the motion pertaining to Item 42; a formal division of the vote was not requested.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

43. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY V. RYLANDER INVESTMENT COMPANY AND TAKE APPROPRIATE ACTION.¹
(1:54 PM) (3:55 PM)

Judge Aleshire announced that Item 43 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47 and 56. Please refer to Item 42 for a summary of the Court's action on this motion.

Clerk's Note: Commissioner Sonleitner requested that the record reflect that she abstained from the portion of the motion pertaining to Item 42; a formal division of the vote was not requested.

44. AUTHORIZE COUNTY ATTORNEY TO TAKE ALL ACTION NECESSARY IN THE GARWOOD/CORPUS CHRISTI INTERBASIN TRANSFER PERMIT APPLICATION AND REQUEST A PUBLIC HEARING BEFORE THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION.¹ (1:54 PM) (3:55 PM)

Judge Aleshire announced that Item 44 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47 and 56. Please refer to Item 42 for a summary of the Court's action on this motion.

Clerk's Note: Commissioner Sonleitner requested that the record reflect that she abstained from the portion of the motion pertaining to Item 42; a formal division of the vote was not requested.

45. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TEXAS EEI, LTD., V. TRAVIS COUNTY, TEXAS (TEXAS EEI, LTD.; ODEN; LAND USE REGULATIONS).¹
(1:54 PM) (3:55 PM)

Judge Aleshire announced that Item 45 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47 and 56. Please refer to Item 42 for a summary of the Court's action on this motion.

Clerk's Note: Commissioner Sonleitner requested that the record reflect that she abstained from the portion of the motion pertaining to Item 42; a formal division of the vote was not requested.

46. APPROVE THIRD AMENDMENT TO CONTRACT WITH FLUOR DANIEL, INC., OR TAKE OTHER APPROPRIATE ACTION. (PEREZ)¹ (1:54 PM) (3:55 PM)

Judge Aleshire announced that Item 46 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47 and 56. Please refer to Item 42 for a summary of the Court's action on this motion.

Clerk's Note: Commissioner Sonleitner requested that the record reflect that she abstained from the portion of the motion pertaining to Item 42; a formal division of the vote was not requested.

47. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION REGARDING BRUCE LAMBERT (LAMBERT; DINWIDDIE; PERSONAL INJURY)¹ (1:54 PM) (3:55 PM)

Judge Aleshire announced that Item 47 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47 and 56. Please refer to Item 42 for a summary of the Court's action on this motion.

Clerk's Note: Commissioner Sonleitner requested that the record reflect that she abstained from the portion of the motion pertaining to Item 42; a formal division of the vote was not requested.

48. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR INITIATE LITIGATION FOR CONDEMNATION PROCESS, REGARDING DAVID K. GIBBS (PROPOSED CHIMNEY OAKS SUBDIVISION) (GIESELMAN; CONDEMNATION CASE)¹ (1:54 PM) (3:55 PM)

Item 48 pulled from the agenda.

Item 48 to be reposted on April 22, 1997.

49. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN CIBOLO MANUFACTURING INC.; ET AL., V. CROSS EQUIPMENT CO., INC.; ET AL. (GIESELMAN; PATENT LAWSUIT)¹ (1:54 PM)

Item 49 postponed until April 22, 1997.

- 50.** RECEIVE BRIEFING FROM COUNTY ATTORNEY; AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION REGARDING REGINALD SWISHER CLAIM. (SWISHER; KEEL; PERSONAL INJURY NEGLIGENCE CLAIM)¹ (1:54 PM)

Item 50 postponed until April 22, 1997.

- 51.** RECEIVE BRIEFING FROM COUNTY ATTORNEY; AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN VELASQUEZ V. SHERIFF TERRY KEEL, ET AL. (VELASQUEZ; KEEL SECTION 1983 EXCESSIVE FORCE)¹ (1:54 PM)

Item 51 postponed until April 22, 1997.

- 52.** MAKE, ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER, AND/OR TAKE APPROPRIATE ACTION IN TIMOTHY CANFIELD V. TRAVIS COUNTY SHERIFF'S OFFICE, ET AL., CAUSE NO. 1-94-CA-555-AA (FRASIER; CLASSIFICATION; SUICIDE ATTEMPT SECTION 1983)¹ (1:54 PM)

Item 52 postponed until April 22, 1997.

- 53.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN HUTSON, CHRISTOPHER V. CITY OF AUSTIN, ET AL., CAUSE NO. A96-CA-572-SS (FRASIER; DENIAL OF MEDICAL CARE, SECTION 1983).¹ (1:54 PM)

Item 53 postponed until April 22, 1997.

- 54.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN KELLY LAYTON V. TRAVIS COUNTY, TEXAS, SHERIFF MARGO FRASIER, ET AL., CAUSE NO. A96-CA-483-SS, (FRASIER; DENIAL OF MEDICAL CARE, SECTION 1983).¹ (1:54 PM)

Item 54 postponed until April 22, 1997.

- 55. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN JEANETTE DUNAWAY V. TRAVIS COUNTY, ET AL., CAUSE NO. A95- 07331, (FRASIER; IMPROPER MEDICAL CARE, T.T.C.A.).¹ (1:54 PM)

Item 55 postponed until April 22, 1997.

- 56. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN MARES V. TRAVIS COUNTY; (FRASIER; MANDAMUS ACTION).¹ (1:54 PM) (3:55 PM)

Judge Aleshire announced that Item 56 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47 and 56. Please refer to Item 42 for a summary of the Court’s action on this motion.

Clerk’s Note: Commissioner Sonleitner requested that the record reflect that she abstained from the portion of the motion pertaining to Item 42; a formal division of the vote was not requested.

THE FOLLOWING IS AN ADDENDUM:

- A.1 APPROVE A PROCLAMATION DECLARING THE WEEK FROM APRIL 13 TO 19, 1997 AS "NATIONAL CRIME VICTIMS' RIGHTS WEEK". (9:27 AM)

Members of the Court heard from: Nell Myers, Founder, People Against Violent Crime.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item A.1.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

ADJOURNMENT

Motion by Commissioner Bristol and **seconded by** Commissioner Sonleitner to adjourn the Voting Session. (3:59 PM)

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Bill Aleshire, Travis County Judge